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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

DANNY T. MORADO,

Plaintiff,

vs.

MARTIN O'MALLEY, Commissioner of  
Social Security,<sup>1</sup>

Defendant.

Civil No. 2:23-cv-01488-EJY

DEFENDANT'S FIRST AND UNOPPOSED  
MOTION FOR A TWO-WEEK EXTENSION OF  
TIME TO RESPOND TO PLAINTIFF'S  
MOTION FOR REVERSAL AND REMAND

Defendant, Martin O'Malley, Commissioner of Social Security (Defendant), respectfully

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<sup>1</sup> Because Martin O'Malley became the Commissioner of Social Security on December 20, 2023, Martin O'Malley should be substituted for Kilolo Kijakazi as the Defendant in this suit. Fed. R. Civ. P. 25(d). No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 requests that the Court grant this unopposed motion to extend the time for Defendant to respond  
2 to Plaintiff's Motion to Remand (Dkt. No. 14, filed on February 12, 2024), currently due on  
3 March 13, 2023, by fourteen days, through and including March 27, 2024. Defendant further  
4 requests that all subsequent deadlines be extended accordingly. This is Defendant's first request  
5 for an extension of time to file a response.

6       Good cause exists for this extension. Defendant respectfully requests this additional time  
7 because Defendant's counsel is experiencing an extremely heavy workload, despite due  
8 diligence. In addition to this case, the undersigned is preparing the Commissioner's response  
9 briefs for multiple district court cases with concurrent deadlines. Plus, the undersigned is  
10 assigned to train and review the briefing prepared by an attorney recently hired by this counsel's  
11 office. This case is being used as a case for such training. An additional fourteen days would  
12 provide the undersigned with the time to thoroughly review the new attorney's draft brief before  
13 filing. For this reason, Defendant's counsel requires additional time to properly address the  
14 issues raised in Plaintiff's Motion to Remand. This request is made in good faith and with no  
15 intention to unduly delay the proceedings.

16       Counsel for Defendant advised counsel for Plaintiff of the need for this extension on  
17 March 5, 2024. Counsel for Plaintiff confirmed that Plaintiff does not object to this request.  
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1 It is therefore requested that Defendant be granted an extension of time to respond to  
2 Plaintiff's Motion to Remand, through and including March 27, 2024.

3 DATED: March 7, 2024

4 Respectfully submitted,

5 JASON M. FRIERSON  
6 United States Attorney

7 By: s/ David Priddy  
8 DAVID PRIDDY  
9 Special Assistant United States Attorney  
10 Office of Program Litigation, Office 7

11 Attorneys for Defendant

12  
13 IT IS SO ORDERED:

14 Raymond J. Zouchak  
15 UNITED STATES MAGISTRATE JUDGE

16 DATED: March 7, 2024  
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